

1 UNITED STATES DISTRICT COURT
2 EASTERN DISTRICT OF NEW YORK
3 CV No.: 04221

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6 ESTATE OF DANIEL McDONNELL, BY DANIELLE
7 McDONNELL, Administratrix, DEVON
8 McDONNELL, an infant by his mother and
9 natural guardian, DANIELLE McDONNELL and
10 DANIELLE McDONNELL, Individually,
11 Plaintiffs,

12 -against-

13 SGT. RICHARD BRESSINGHAM, SGT. HENRY
14 ARNOLD, SGT. FRANK PAPPILLO, POLICE
15 OFFICERS RICCARDO MASCIIO, JOHN MCGLYNN,
16 GREGORY JUNGEN, ROBERT BODENMILLER,
17 CHRISTOPHER MILLS, ADAM QUINONES, RUSS
18 CAPRIA, DANE FLYNN, MICHAEL MANNINO,
19 PATRICK AHEARN, and ANDREW YOUNG, and
20 LIEUTENANT WILLIAM SCRIMA, INDIVIDUALLY
21 AND IN THEIR CAPACITIES AS SUFFOLK COUNTY
22 POLICE OFFICERS, COUNTY OF SUFFOLK,
23 SUFFOLK COUNTY POLICE DEPARTMENT and
24 MULTIPLE SUFFOLK COUNTY POLICE OFFICERS
25 WHOSE NAMES ARE CURRENTLY UNKNOWN,
Defendants.

100 Veterans Memorial Highway
Hauppauge, New York

October 11, 2012
10:11 A.M.

DEPOSITION OF ODETTE ROSA HALL, M.D.
(Caption continued on following page.)

1
2 DEPOSITION of ODETTE ROSA HALL, M.D.,
3 a Nonparty Witness herein, held at the
4 above time and place, taken before Denise
5 Parisi, a Shorthand Reporter and Notary
6 Public of the State of New York, pursuant
7 to the Federal Rules of Civil Procedure,
8 Agreement, and stipulations between
9 Counsel.
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1 Odette Rosa Hall, M.D.

2 there anything that can bring on excited
3 delirium?

4 A In a lot of cases, it's
5 described in individuals who are
6 intoxicated by illicit substances,
7 particularly cocaine. It can also happen
8 in individuals with psychiatric disorders.

9 Q And, in this case, toxicology
10 was done by your office; is that correct?

11 A Correct.

12 Q And do you recall the results of
13 that, uh -- those tests?

14 A That he did not have any illicit
15 drugs present in his system.

16 Q The term "excited delirium," is
17 that an illness, a symptom, a traumatic
18 event, something else? How would you
19 describe that?

20 MR. MITCHELL: I object to the
21 form.

22 You can answer.

23 A It's a constellation of symptoms
24 and presentation of behavior.

25 Q And those are the symptoms and

1 Odette Rosa Hall, M.D.

2 stressor?

3 MR. MITCHELL: Object to the
4 form.

5 You can answer.

6 A Yes.

7 Q Um, you also mention in your
8 cause of death that the decedent had
9 bipolar disorder; correct?

10 A Yes.

11 Q How does that factor in here?

12 A Because it is something that
13 would predispose him to develop excited
14 delirium.

15 Q Um, under what circumstances?

16 A It's just more common in
17 individuals with psychiatric disorders.

18 Q Um, so this excited delirium,
19 uh, was brought on by what?

20 MR. MITCHELL: Object to the
21 form.

22 You can answer.

23 A You can't say necessarily what's
24 going to precipitate it just recognizing
25 it when it's happened. But it's not to

1 Odette Rosa Hall, M.D.

2 say if this happens, the person's going to
3 go into a state of excited delirium.

4 Q Um, moving on to your, uh,
5 anatomic diagnosis. Again, we have
6 "sudden death," and that means, um, what
7 again?

8 A An abrupt cessation of life.

9 Q Uh, "following the physical
10 struggle and restraint"; correct?

11 A Correct.

12 Q "In a person with bipolar
13 disorder with excited delirium syndrome."
14 And then you go on to mention hypertensive
15 cardiovascular disease, uh, and obesity.

16 Um, do you know when, uh,
17 Mr. McDonnell began to experience this
18 excited delirium syndrome?

19 MR. MITCHELL: Object to the
20 form.

21 You can answer.

22 A From the reports that I have,
23 the morning of the 6th.

24 Q Uh, do you know approximately
25 how long before his death?

1 Odette Rosa Hall, M.D.

2 A Roughly an hour to two hours.

3 Q Uh, and, again, I believe you
4 said you're not sure what brought this
5 excited delirium on.

6 A Correct.

7 Q Um, do you know if it began
8 before he was Tasered or after he was
9 Tasered?

10 MR. MITCHELL: I object to the
11 form.

12 You can answer.

13 A Before.

14 Q Um, and if someone experiences
15 excited delirium syndrome, um, is there a
16 certain way they should or shouldn't be
17 treated?

18 MR. MITCHELL: I object to the
19 form.

20 You can answer.

21 A That, I can't answer because I
22 don't treat live patients, so I don't know
23 how they would be treated in a live
24 setting.

25 Q Um, as a deputy medical

1 Odette Rosa Hall, M.D.

2 excited delirium?

3 A I would say that he was still in
4 it.

5 Q Uh, but that may just have been
6 a result of his, uh, not having
7 therapeutic levels of his medication?

8 MR. MITCHELL: I object to the
9 form.

10 You can answer.

11 A Again, I have read that the
12 cessation of medications can bring on
13 excited delirium.

14 Q Okay.

15 Without excited delirium being,
16 uh, involved, can, uh, the cessation of
17 these psychotropic drugs, um, cause
18 someone to act in the way that was
19 described about Mr. McDonnell?

20 MR. MITCHELL: Object to the
21 form.

22 You can answer.

23 A That, I don't know. I can only
24 say in terms of what I read for the
25 understanding of excited delirium, but I

1 Odette Rosa Hall, M.D.

2 can't say in general.

3 Q Um, so if excited delirium is
4 not even in the picture, uh, whatsoever,
5 you don't know whether, um, his cessation
6 of medication could have caused him to act
7 this way?

8 MR. MITCHELL: Object to the
9 form.

10 You can answer.

11 A Correct.

12 Q What is it that caused you to do
13 this research on excited delirium?

14 MR. MITCHELL: Object to the
15 form.

16 You can answer.

17 A Because that's what I believe he
18 had.

19 Q But you were unfamiliar with
20 that, uh, prior to this case; correct?

21 A I was familiar with the concept
22 of excited delirium, but I wanted to make
23 sure I understood the -- the physiology
24 and the symptomatology of excited
25 delirium.

1 Odette Rosa Hall, M.D.

2 Q Did you do any research, uh,
3 into, um, the physiology, uh, of cessation
4 of bipolar medication?

5 MR. MITCHELL: Object to the
6 form.

7 You can answer.

8 A No.

9 Q Okay.

10 Um, are you aware-- aware of
11 whether or not, uh, cessation of bipolar
12 medication should be done under the, um,
13 supervision of a physician?

14 MR. MITCHELL: Object to the
15 form.

16 You can answer.

17 A I am not.

18 Q Um, did you do any research to
19 find out what would happen if someone
20 suddenly stopped taking, uh, bipolar
21 medication?

22 MR. MITCHELL: Object to the
23 form.

24 A I did not.

25 MR. MITCHELL: You can answer.